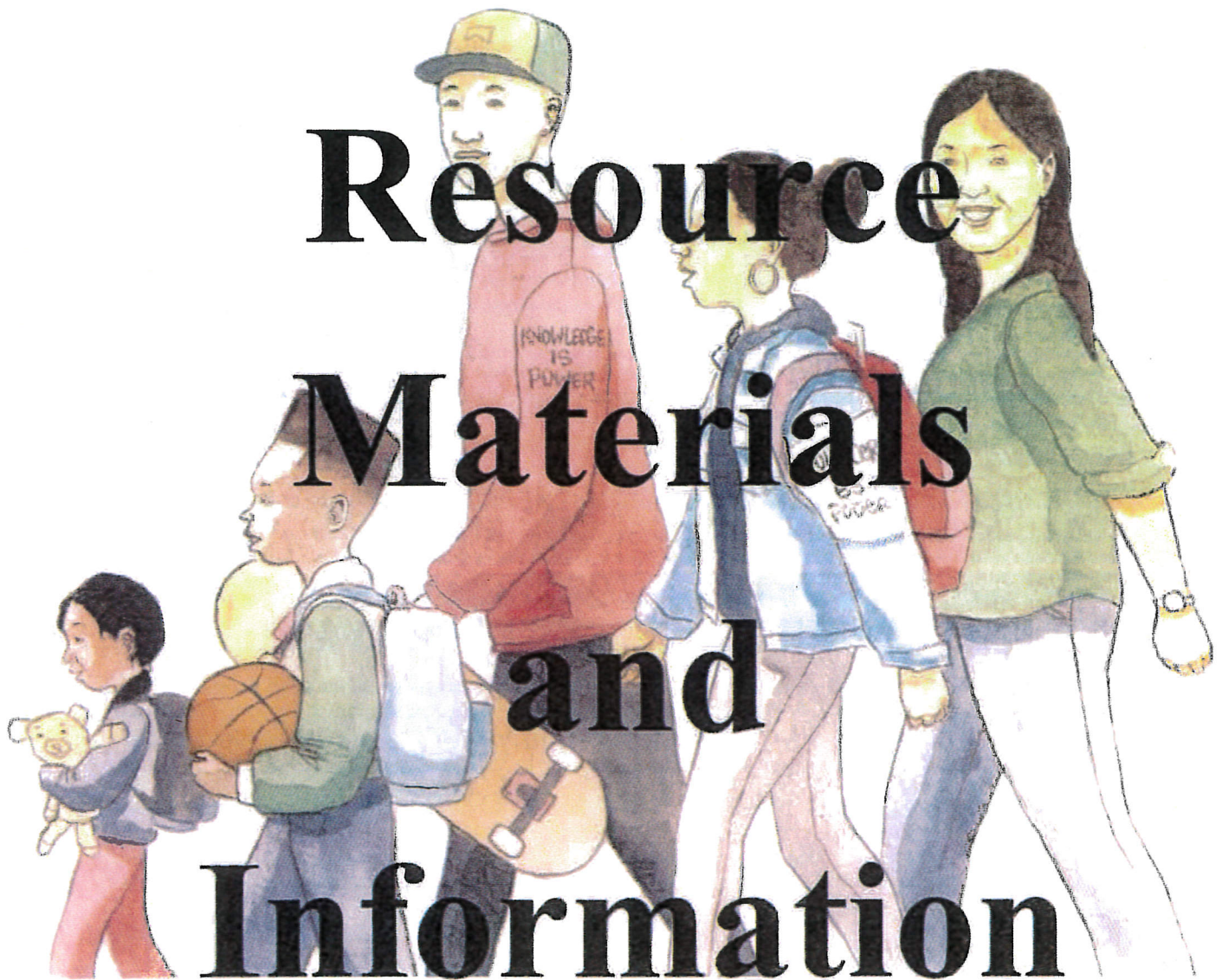


# KNOW YOUR RIGHTS



ALAMEDA UNIFIED  
SCHOOL DISTRICT

Excellence & Equity For All Students

City of Alameda  
Social Service  
Human Relations Board



## **DISCLAIMER:**

**All materials have been prepared for educational purposes and general information only about general rights should you encounter ICE. The information presented is not legal advice, is not to be acted on as such, may not be current and is subject to change without notice.**

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# ★ KNOW ★ — YOUR — RIGHTS

## KNOW YOUR RIGHTS

*Stopped by Police,  
Immigration Agents, or FBI*

### **If You're Stopped By Police**

- You have a right to remain silent. If you wish to remain silent, tell the officer. (Some states may require you to identify yourself to the police if you're suspected of a crime.)
- Stay calm. Don't run. Don't argue, resist, or obstruct the police. Keep your hands where police can see them.
- Ask if you're free to leave. If yes, calmly and silently walk away.
- You do not have to consent to a search of yourself or your belongings.

### **If You're Stopped In Your Car**

- Stop the car in a safe place as quickly as possible. Turn off the car, turn on the internal light, open the window partway, and place your hands on the wheel.
- Upon request, show police your driver's license, registration, and proof of insurance.
- If an officer or immigration agent asks to search your car, you can refuse. But if police believe your car contains evidence of a crime, they can search it without your consent.
- Both drivers and passengers have the right to remain silent. If you're a passenger, you can also ask if you're free to leave. If yes, silently leave.

### **If You're Asked About Your Immigration Status**

- You have the right to remain silent. You do not have to answer questions about where you were born, whether you're a U.S. citizen, or how you entered the country. (Separate rules apply at international borders and airports, and for individuals on certain nonimmigrant visas, including tourists and business travelers.)
- If you're not a U.S. citizen and have valid immigration papers, you should show them if an immigration agent requests it.

- Do not lie about your citizenship status or provide fake documents.

### **If The Police Or Immigration Agents Come To Your Home**

- You don't have to let them in unless they have a warrant signed by a judge.
- Ask them to show you the warrant. Officers can only search the areas and for the items listed on the warrant. An arrest warrant allows police to enter the home of the person listed on the warrant if they believe the person is inside. A warrant of removal/deportation (ICE warrant) does not allow officers to enter a home without consent.
- Even if officers have a warrant, you may remain silent. If you choose to speak, step outside and close the door.

### **If You're Arrested by Police**

- Do not resist.
- Say you wish to remain silent and ask for a lawyer. If you can't afford a lawyer, the government must provide one.
- Don't say anything, sign anything, or make any decisions without a lawyer.
- You have the right to make a local phone call. The police cannot listen if you call a lawyer.
- Don't discuss your immigration status with anyone but your lawyer.
- An immigration officer may visit you in jail. Do not answer questions or sign anything before talking to a lawyer.
- Read all papers fully. If you don't understand or cannot read the papers, say you need an interpreter.

### **If You're Taken Into Immigration (Or "ICE") Custody**

- You have the right to a lawyer, but the government will not provide one. If you don't have a lawyer, ask for a list of free or low-cost legal services.
- You have the right to contact your consulate or have an officer inform the consulate of your arrest.
- Tell the immigration officer you wish to remain silent. Do not discuss your immigration status with anyone but your lawyer.
- Do not sign anything, such as a voluntary departure or stipulated removal, without talking to a lawyer. If you sign, you may be giving up your opportunity to try to stay in the U.S.
- Know your immigration number ("A" number) and give it to your family. It will help them locate you.

### **If You Feel Your Rights Have Been Violated**

- Write down everything you remember, including officers' badge and patrol car numbers, which agency the officers were from, and any other details. Get contact information for witnesses. If you're injured, seek medical attention immediately and take photographs of your injuries.
- File a written complaint with the agency's internal affairs division or civilian complaint board. In most cases, you can file a complaint anonymously if you wish.

*This information is not intended as legal advice. Some state laws may vary. Separate rules apply at checkpoints and when entering the U.S. (including at airports). Updated Dec, 2016.*

For more information, call your local ACLU  
[www.ACLU.org/affiliates](http://www.ACLU.org/affiliates).

**ACLU**



# Immigrant Rights

Under a Trump Administration

## What Immigrant Families Should Do Now

### ➔ Talk to an immigration services provider about your immigration options

Find immigration legal help on the Immigration Advocates Network's national directory of free or low-cost nonprofit immigration legal services providers at <https://www.immigrationlawhelp.org>

- If you have a green card, find out if you can become a U.S. citizen.
- If you are here on a visa, find out if you can get a green card.
- If you do not have immigration status, find out if you may be eligible to get a visa or work permit.
- If you have a criminal arrest or conviction, find out how it might affect your case, or if there is a way to erase it from your record.

### ➔ Make a child care and family preparedness plan

- Make sure all information and emergency contacts are up to date at your children's school(s) including who can and cannot pick up your children.
- Create a sheet of emergency numbers and contact information and a file of important documents so that you, your family or your emergency contact person can easily access them.
- Complete a caregiver's authorization affidavit so another adult can care for your children temporarily (available in California).
- Designate and document someone you trust with Power of Attorney to make financial, legal or child care decisions in your absence. You can designate this person to care for your children; to make decisions for your children; to handle your finances; to manage business decisions; to pay your rent or mortgage; or to pay for your legal and other expenses.
- Register your child's birth with your country's government (for example, with your country's consulate) if your child was born in the United States.

### ➔ Figure out which documents you should and should not carry with you

- At all times, carry with you the telephone number of an immigration lawyer, advocate or nonprofit immigration legal services provider you will call in an emergency.
- If you have a valid work permit or green card, carry it with you at all times. If you do not have one, generally it is advisable to carry a municipal ID, state ID or driver's license if it was issued in the United States and contains no information at all about your immigration status or your country of origin. Ask a local immigration advocate about what kind of documents are safe to carry in your area.
- Do not carry any documentation about your country of origin.
- Do not carry any false identity documents or false immigration documents.
- At all times, carry a red card to exercise your right to remain silent in case you are stopped or interrogated by ICE or police officers.

## Everyone's Rights During an Immigration (ICE) Raid

*Everyone – both documented and undocumented persons – have rights in this country.*

### ➡ **Make sure you and others know what to do if approached by ICE officers.**

Inform your family members (even children), housemates, neighbors and co-workers, regardless of their immigration status, of their right to remain silent and all of these rights if ICE or the police comes to your home, neighborhood or workplace.

### ➡ **You have the right to remain silent.**

You can refuse to speak to an ICE agent. Do not answer any questions, especially about your birth place, immigration status or how you entered the United States. Say that you want to remain silent until you speak with a lawyer.

### ➡ **You have the right to demand a warrant before letting anyone into your home.**

Do not open your door to authorities without a warrant. You do not need to open the door unless an ICE agent shows you a warrant signed by a judge with your specific and correct name and address on it. If they say they have one, do not open the door for them to show it to you. Ask them to slip it under the door or through a window.

### ➡ **You have the right to speak to a lawyer and the right to make a phone call.**

Make sure to carry the phone number for an immigration lawyer with you at all times.

### ➡ **You have the right to refuse to sign anything before you talk to a lawyer.**

Do not sign anything. That could eliminate your right to speak with a lawyer or have a hearing in front of an immigration judge. This may result in you being deported immediately without a hearing.

### ➡ **You have the right to refuse to show any documents before speaking with a lawyer.**

**Remain calm and do not try to run away.  
If you do, ICE or the police may use that against you.**

## What Allies Can Do During an Immigration Raid

### ➡ **If you can do so safely, take photos of, video record, document and report raids and arrests.**

- Obtain the names and phone numbers of any witnesses.
- Share information about the raid with your co-workers. If there is a union in your workplace, contact a union official.
- If ICE agents or police officers enter without a proper warrant, ask for their names and/or write down their badge numbers.

### ➡ **To report a raid, contact United We Dream's hotline 1-844-363-1423 or text 877877.**

- Report any incidents of raids or abuses/mistreatment by ICE, police or border patrol.



# YOU HAVE RIGHTS

**You have rights under the U.S. Constitution and other laws**


All people in the U.S., whether citizen or non-citizen, have certain rights under the U.S. Constitution and other laws.



**STOP**

You have the right to refuse consent for immigration or the police to search yourself, your car or your home.


*I have the right to remain silent*



You have the right to remain silent. If you want to exercise that right, you should say it out loud.

*I will remain silent until I speak to an attorney.*

You have the right to speak to an attorney before answering any questions. You may say, "I will remain silent until I speak to an attorney."



You do not have to sign anything that you do not understand.

If you are not a U.S. citizen, you have the right to call the consulate of your home country. Immigration and police must let your consulate visit or speak with you.



You have the right to a copy of all your immigration papers.



This is not intended as legal advice. <sub>5</sub>



VisitAmerica.org



@America



www.facebook.com/VisitAmerica

# KNOW YOUR RIGHTS:

## I'M A U.S. CITIZEN, WHAT SHOULD I DO IF ICE QUESTIONS, DETAINS OR ARRESTS ME?

### DOES ICE HAVE THE RIGHT TO DETAIN OR ARREST U.S. CITIZENS BASED ON IMMIGRATION STATUS?



**NO.** The immigration law and its rules do not apply to U.S. citizens. ICE agents have deportation authority over non-citizens only.

**I am a U.S. citizen**



ICE agents violate the 4th and 5th Amendment of the Constitution if they question, detain or arrest U.S. citizen based on the citizen's race.

Tell ICE that you are a U.S. citizen and ICE does not have the authority to detain or arrest you.



Ask to speak to your lawyer. You have the right to speak to your lawyer.



Ask for the ICE agent's name and badge number and save that information.



Consult a lawyer about filing a lawsuit if you are questioned, detained and arrested. ICE and local police that assist ICE may be liable to pay fines and monetary damages for unlawful, questioning, detention and arrest of U.S. citizens.

Go to [iAmerica.org](http://iAmerica.org) for a list of legal service providers.

\*This information is not intended as legal advice.





## DACA: CURRENT STATUS AND OPTIONS

March 1, 2017

The Deferred Action for Childhood Arrivals (DACA) program is still available and the government is still accepting and approving DACA initial and renewal applications. However, the program could be terminated at any time. As a result, the information in this document could change so always stay up to date.

### Current DACA Recipients – Stay Calm and Stay Out of Trouble

DACA should continue to provide you the same benefits—protection from deportation, work authorization and more. However, even if you have DACA, immigration authorities may detain you and terminate your DACA if you, after receiving a DACA grant:

- are **arrested or convicted** for any criminal offense,
- **admit to any criminal offense**,
- are determined to pose a **threat** to public safety or national security,
- admit to **fraud** in connection with a government agency (such as use of a false social security number), or
- admit to **gang affiliation**.

According to DHS, if you disclosed the above information in previous DACA applications and your case was approved, you will continue to hold DACA. If you failed to disclose any criminal history in your application or experience new criminal issues *after* receiving DACA, you should speak to an attorney as you may be at risk.

### Initial DACA Applications – Recommended Only With Attorney Representation

*Applying for DACA for the first time presents both benefits and risks. You should only apply after consulting with an attorney and considering the risks and benefits of your case. Be sure to have an attorney help you prepare your application.*

*Prior criminal, immigration, fraud or gang issues could be particularly risky. Be sure to consult an expert before applying if you have:*

- previous **criminal arrests or charges** (even without a conviction);
- **any type of criminal conviction** (including either misdemeanors or felonies);



- any history of **fraud related to a government agency** (such as **use of a false social security number**); or
- been **deported** or been ordered deported from the United States before.

Initial applications may take anywhere from a few weeks to several months to be processed. If a new application is not approved before the DACA program is changed or terminated, you may lose your application \$495 fee. Furthermore, you risk exposure to immigration authorities by sending them your personal data. If pending federal legislation (the BRIDGE Act) passes to replace DACA, you may be eligible for another, less risky opportunity to be protected from deportation and receive a work permit.

### **DACA Renewals – Recommended for Certain Applicants**

*If you currently have DACA and want to renew it, you should renew immediately after consulting with an experienced immigration attorney or accredited representative.*

DACA renewal applications are still being accepted and approved which means you *may* receive a new work permit valid for another two years. The main risk is that the DACA program could be changed or terminated suddenly. If your renewal application is not approved before the program is terminated, you may lose the \$495 application fee.

If you have **any prior or new immigration or criminal issues**, do not apply to renew your DACA until you **first consult with a trusted legal service provider** to assess your case. Some past criminal or immigration issues could impact your renewal application now even if you were approved for DACA in the past.

You may qualify for a loan or other help with the application costs. Check out Mission Asset Fund if you're in the Bay Area (<http://missionassetfund.org/lending-circles-for-dreamers/>), Self-Help Federal Credit Union (<http://www.self-helpfcu.org/personal/loans/immigration-loans>), your nearest Mexican Consulates, or local DACA service providers for information.

### **Advance Parole – Not Recommended**

*Do not apply for or travel under advance parole through DACA at this time.*

If you have already been approved for travel outside the United States with advance parole or you need to request emergency advance parole (in person at a USCIS office), do so only after consultation with an experienced immigration attorney or accredited representative.

**You should not travel with parole of *any* type if you have:**

- previous **criminal arrests or charges** (even without a conviction);
- **any type of criminal conviction** (including either misdemeanors or felonies);

- any history of **fraud related to a government agency** (such as **use of a false social security number**); or
- been **deported** or been ordered deported from the United States before.

**WARNING:** Individuals with citizenship or travel documents from the following countries should not, under any circumstances, travel on advance parole because you may not be let back into the country in accordance with President Trump’s ongoing executive actions barring individuals from these countries: **Iraq, Iran, Syria, Yemen, Sudan, Libya and Somalia.**

## STEPS TO FOLLOW

**Consult with an experienced immigration attorney or accredited representative** to understand your legal options and if you might be eligible for a safer, more permanent immigration benefit.

- Find low-cost immigration legal services: <https://www.immigrationlawhelp.org>.

Avoid fraudulent service providers: confirm their credentials, ask for a written contract and a receipt for any payments, and if you have doubts, get a second opinion.

- For more information, go to: <https://www.ilrc.org/anti-fraud-flyers>.

**Avoid negative contact with law enforcement.** Any arrest, charge, or conviction, especially related to gangs, drugs or a DUI can be really bad for your immigration situation.

**If you have a criminal record, consult an expert.** Certain convictions can be changed to lessen the impact on a future immigration case you may have.

## KNOW YOUR RIGHTS

Everyone, regardless of their status, has constitutional rights before the immigration authorities.

### Remain Silent

- Don’t respond to the questions of an immigration agent or provide any personal information. They may continue to ask you in a forceful, harassing or intimidating manner. You still have the right to remain silent.

### Do Not Open Your Door

- If agents come to your home, ask that a search warrant be passed under your door or shown through a window. Do not open the door for them if they cannot show you a warrant **signed by a judge**. You lose certain rights by allowing agents in to your home.

## **Do Not Sign Anything**

- Do not sign any document. Ask to speak with an attorney and for a hearing in immigration court before signing away any of your rights.



## **Family Preparedness Plan**

Every family should have a Family Preparedness Plan. While it is our hope that you never have to use your plan, it is a good practice to have one in place to help reduce the stress of the unexpected. This packet will help everyone create a Family Preparedness Plan, regardless of immigration status. However, because of the additional challenges immigrant and mixed status families face, we also have additional advice for immigrants.

### **➔ Make a Child Care Plan**

Have a plan so that a trusted adult can care for your child if you cannot. This plan should include emergency numbers, a list of important contact information, a Caregiver's Authorization Affidavit and a file with important documents. This packet includes templates to put together these documents.

### **➔ Find Out About Your Immigration Options**

Information and resources to find good immigration legal help is included in this packet.

- If you have a green card, find out if you can become a U.S. citizen.
- If you are here on a visa, find out if you can get a green card.
- If you do not have immigration status, find out if you may be eligible to get a green card, visa or work permit.
- If you have a criminal arrest or conviction, find out how it might affect your situation, or if there is a way to erase it from your record.
- If you are detained or put into deportation proceedings, ask for a hearing in front of a judge to get out of detention and to fight your deportation.

### **➔ Know Your Rights**

Everyone – both documented and undocumented persons – have rights in this country. Make sure you, your family members (even children), housemates, neighbors, and co-workers, regardless of their immigration status, know of their right to remain silent and all of their other rights if ICE or the police come to your home, neighborhood or workplace. A list of these rights, and a card asserting these rights, are included in this packet.

## **Child Care Plan**

### **☛ Talk to Your Children About Your Plan**

Without worrying them, assure your children that they will be taken care of if for some reason you are unable to care for them, even for a short period of time. Let them know who will care for them until you can.

### **☛ Decide Who Can Care for Your Children if You Are Unable To**

Talk to the people you would want to care for your children if you are unable to and make sure they know they will be listed as emergency contacts. Memorize their phone numbers and have your children memorize them too.

Make sure your children know who can pick them from up school, who cannot pick them up from school, and who will care for them.

Your child's school may only release your child to adults you designate. Therefore, make sure to regularly update all school, afterschool, day care, summer camp, and other programs' emergency contact sheets and release forms to include the names of those who can and cannot pick up your children. If you have a restraining order against anyone, make sure to give a copy of it to the school.

Make sure the people who can pick up and care for your children are up to date on your child's location and school.

### **☛ Write Down Instructions if Your Child Has Any Medical Conditions and /or Takes Any Medications**

Make sure to write down any medical conditions or allergies your child has, any medications that your child takes, as well as doctor and health insurance information. Keep a copy of this information in your important documents file. Give a copy to your child's school and the adult you designate to care for your children. Let your child know where to find this information if you are not around.

### **☛ Have a Caregiver's Authorization Affidavit Signed**

A Caregiver's Authorization Affidavit is a form to give to your child's school or health care provider so a non-parent relative can enroll your child in public school, make school-related medical decisions, and make other important decisions on your child's behalf if you are unable to. It allows non-relatives to enroll your child in school and to receive school-related medical treatment. A template is in this packet. A Caregiver's Authorization Affidavit does not affect your rights as your child's parent – you still have custody and control of your child.

Immigrant Legal Resource Center ■ [www.ilrc.org](http://www.ilrc.org)



## ➡ Make Sure Your Children All Have Passports

If your child was born in the United States, visit [www.travel.state.gov](http://www.travel.state.gov) for more information on obtaining a U.S. passport.

If your child was born in your home country, check with your embassy or consulate for more information on obtaining a passport.

## ➡ Inform Your Family and Emergency Contacts About How to Find You if You Are Detained by ICE

Family members can use the ICE detainee locator: <https://locator.ice.gov/odls/homePage.do>. Be sure your family and emergency contacts have a copy of your A-Number (your alien registration number found on your immigration documents from ICE) if you have one.

### Want to Do Even More?

You can designate and document someone you trust with **Power of Attorney** to make financial, legal or child care decisions in your absence. You can designate this person to care for your children; to make decisions for your children; to handle your finances; to manage business decisions; to use your money to pay your rent or mortgage or to pay for your legal and other expenses. A power of attorney for your child allows you to designate another adult to make decisions for your child. It is temporary and does not require you to give up your parental or custodial rights.

You can also **register your child's birth** with your country's government (for example, with your country's consulate) if your child was born in the United States. This may grant your child benefits, including citizenship in your home country in some cases.

## Important Children's Information

*Keep this information so those you designate to care for your children in your absence have all of the information they need.*

<b>Child's Name</b>	
Date of Birth	
Child's Cell Phone Number (if applicable)	
School	
School Address	
School Phone Number	
Teacher's Name	
Classroom Number	
Afterschool Program	
Afterschool Program Phone Number	
Other Camp/Sports/Program	
Other Camp/Sports/Program Phone Number	
Allergies	
Medical conditions	
Medications	
Doctor's Phone Number	
Doctor's Address	
Health Insurance	

## Emergency Numbers and Important Contact Information

*Keep this information in one place so that you and your family can access it easily.*

<b>Emergency Numbers</b>	
Immediate Emergency	911
Police Department	
Fire Department	
Poison Control	
<b>Family Contacts</b>	
Mother/Parent/Guardian	
Home Phone	
Cell Phone	
Work Address	
Work Phone	
Father/Parent/Guardian	
Home Phone	
Cell Phone	

Work Address	
Work Phone	
Other Emergency Contact and Relationship	
Cell Phone	
Other Emergency Contact and Relationship	
Cell Phone	
Other Emergency Contacts and Relationship	
Cell Phone	

<b>Miscellaneous Contacts</b>	
Doctor	
Phone Number	
Health Insurance Company	
Policy Number	
Pediatrician	
Phone Number	
Health Insurance Company	
Policy Number	
Dentist	
Phone Number	
Dental Insurance Company	
Policy Number	
Car Make/Model	
License Plate Number	
Car Insurance Company	
Insurance Policy Number	
Phone Number	
Consulate	
Address	
Phone Number	
Attorney/Nonprofit Legal Services Provider	
Address	
Phone Number	

## Caregiver's Authorization Affidavit

*Keep a copy of this available for the person you designate to care for your child to sign if needed. You do not need to sign it. Only the caregiver is required to sign it.*

Use of this affidavit is authorized by Part 1.5 (commencing with Section 6550) of Division 11 of the California Family Code. According to California Law, schools and medical care providers must accept this form if it completed correctly.

**Instructions:** If the adult you designate to care for your child is not a family member, they should fill out items 1-4 to authorize your child's enrollment in school and school-related medical care. If the adult you designate to care for your child is a family member, they should complete items 1-8 to authorize your child's enrollment in school and any medical care.

The minor named below lives in my (the caregiver's) home and I am 18 years of age or older.

1. Name of minor: \_\_\_\_\_.

2. Minor's birth date: \_\_\_\_\_.

3. My name (adult giving authorization): \_\_\_\_\_.

4. My home address: \_\_\_\_\_.

5. ☐ I am the minor's grandparent, aunt, uncle, spouse, stepparent, brother, sister, stepbrother, stepsister, half-brother, half-sister, niece, nephew, first cousin, grandaunt, granduncle, great-grandparent, great-grandaunt, great-granduncle, or the spouse of one of these persons.

6. Check one or both (for example, if one parent was advised and the other cannot be located):

☐ I have advised the parent(s) or other person(s) having legal custody of the minor of my intent to authorize medical care, and have received no objection.

☐ I am unable to contact the parent(s) or other person(s) having legal custody of the minor at this time, to notify them of my intended authorization.

7. My date of birth: \_\_\_\_\_.

8. My California driver's license or identification card number: \_\_\_\_\_.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: \_\_\_\_\_ Signed: \_\_\_\_\_

Immigrant Legal Resource Center ■ [www.ilrc.org](http://www.ilrc.org)

## **File of Important Documents**

*Keep a file of all of these documents or a copy of these documents in a safe place. Tell your children, family members and emergency caregiver where to find this file in an emergency.*

- ☐ Passports
- ☐ Birth Certificates
- ☐ Marriage License (if applicable)
- ☐ Caregiver's Authorization Affidavit
- ☐ Any Restraining Orders you may have against anyone (if applicable)
- ☐ A-Number and any immigration documents (work permit, green card, visa, etc.)
- ☐ Driver's License and/or Other Identification Cards
- ☐ Social Security Card or ITIN number
- ☐ Registry of birth (for U.S. born children registered in parent's home country)(if applicable)
- ☐ Important Children's Information
- ☐ Emergency Numbers and Important Contact Information
- ☐ Children(s)' Medical Information, including health insurance, medication list, and doctor's contact information
- ☐ Any other documents you would want to be able to quickly find



## Find Out About Your Immigration Options

Find a local, nonprofit legal services organization that can help you find out if there is an immigration option for you to get a green card, work permit or visa, or protect you from deportation. Also, keep a list of these local organizations in case you ever have a problem with ICE. These organizations have attorneys who may be able to help you.

### **Warning! Protect Yourself from Fraud!**

Only a licensed attorney or accredited representative is authorized and qualified to assist you with your immigration case. Do not hire anyone who:

- Refuses to give you a written contract;
- Charges you for blank immigration forms;
- Promises you a good result because of their special contacts at Immigration;
- Pretends to be a qualified lawyer or bonded immigration consultant;
- Asks you to lie on a form or sign a blank document; or
- Charges you to "get on a waiting list" or "put your application in line." There is no list. There is no line.

If you suspect fraud, report it to your consulate or the police, or contact the Federal Trade Commission to file a complaint in English or Spanish at 877-FTC-HELP (877-382-4357). Visit Stop Notario Fraud for more information and resources: <http://www.stopnotariofraud.org/>

### **Do what you can now to protect you and your family in the United States.**

- If you have a green card, find out if you can become a U.S. citizen.
- If you are here on a visa, find out if you can get a green card.
- If you do not have immigration status, find out if you may be eligible to get a visa or work permit.
- If you have a criminal arrest or conviction, find out how it might affect your situation, or if there is a way to erase it from your record.
- If you are detained or put into deportation proceedings, ask for a hearing in front of a judge to get out of detention and to fight your deportation.

### **Find a Legal Services Provider**

The Immigration Advocates Network National Immigration Legal Services Directory lists nonprofit organizations that provide free or low-cost immigration legal services. You can use it to find an immigration service provider near you for a consultation.

<https://www.immigrationadvocates.org/nonprofit/legaldirectory/>

### **Find an Info Session or Immigration Workshop Near You**

Ready California is a collaboration of California nonprofits organizations across the state. You can use the Ready California website to find local organizations as well as an events calendar that lists free immigration events throughout the state. These events may be DACA renewal workshops, Know Your Rights presentations, or Post-Election forums.

<http://ready-california.org/events-calendar/#1>

Immigrant Legal Resource Center ▪ [www.ilrc.org](http://www.ilrc.org)

## Know Your Rights

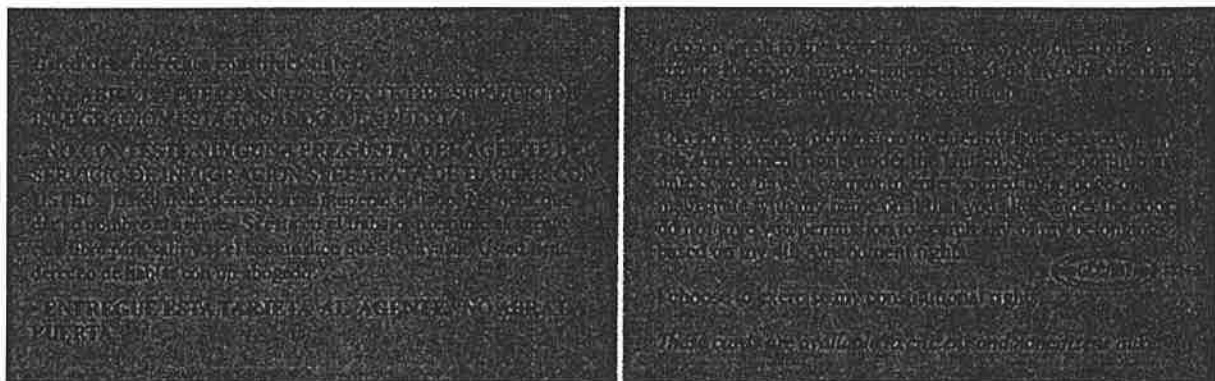
**Remain calm and do not try to run away.  
If you do, ICE or the police may use that against you.**

**Everyone – both documented and undocumented persons – has rights in this country.** Talk to everyone in your family (including children) and household to make sure they all know what to do if approached by immigration officials (ICE) or if immigration officials (ICE) come to your house.

### ➡ ICE at Your Door

Do not open the door for ICE or any police officer without a signed warrant. You do not need to open the door unless an ICE agent can show you a warrant signed by a judge with your specific and correct name and address on it. If ICE knocks on your door, ask them to slide the search warrant under the door or through a window. Make sure the warrant is signed by a judge and has your address on it. If ICE or the police do not have this, then you do not have to open the door. Once you open the door, you lose certain rights.

**Keep a Know Your Rights red card on you and by your door at all times.** You can slide it under the door to ICE – it explains your rights and that you do not have to open the door. Have your children and other family members practice sliding it under the door.



### ➡ Talking to ICE

You do not have to talk to ICE or answer their questions. **You have the right to remain silent.** You can refuse to speak to an ICE agent. Do not answer any questions, especially about your birth place, immigration status or how you entered the United States. Do not give them any personal information about yourself or anyone in your family. Say that you want to remain

silent until you speak with a lawyer. Have your children and others in your family practice saying "No" to ICE.

**You have the right to refuse to sign anything before you talk to a lawyer.** Do not sign anything you do not understand and agree with. That could eliminate your right to speak with a lawyer or have a hearing in front of an immigration judge. This may result in you being deported immediately without a hearing.

Ask to speak with your lawyer and to go before the immigration judge. **You have the right to speak to a lawyer and the right to make a phone call.** Make sure to carry the phone number for an immigration lawyer with you at all times.

## ➔ Other Resources

### Your Country's Consulate

Have the contact information for your country's nearest consulate. Many consulates have an emergency number for cases where you need immediate assistance from the consulate. Have that number written down in case ICE detains you.

### Know Your Rights Materials and Other Resources

There are a lot of resources available to teach you about your rights. Below are just a few places to start looking if you want to learn more about immigration law.

- **Informed Immigrant:** <https://www.informedimmigrant.com/>
- **Immigrant Legal Resource Center (ILRC):** <https://www.ilrc.org/community-resources>
- **National Immigration Law Center (NILC):** <https://www.nilc.org/get-involved/community-education-resources/know-your-rights/>

#### **Documents You Should and Should Not Carry With You**

- At all times, carry a valid work permit or green card, if you have one. If you do not have one, generally it is advisable to carry a municipal ID, state ID or driver's license if it was issued in the United States and contains no information at all about your immigration status or your country of origin. Ask a local immigration advocate about what kind of documents are safe to carry in your area.
- At all times, carry a red card to exercise your right to remain silent in case you are stopped or interrogated by ICE or police officers.
- At all times, carry the telephone number of an immigration lawyer, advocate or nonprofit immigration legal services provider you will call in an emergency.
- Do not carry any documentation about your country of origin.
- Do not carry any false identity documents or false immigration documents.

Immigrant Legal Resource Center ▪ [www.ilrc.org](http://www.ilrc.org)

## Family Preparedness Plan Checklist

Prepare a safety plan for your family in case you are arrested or detained. Collect and make 2 copies of each important document, and place them in a folder.

### Important to carry with you:

- ☐ Red Card
- ☐ Truth/Trust act palm cards
- ☐ Attorney contact information
- ☐ Hotline number 203-NO-MIGRA (

### Identification:

- ☐ Birth Certificate
- ☐ Consular ID
- ☐ Drivers license (AB60)
- ☐ Passport

### Residency: (showing how long you've been in the U.S.)

- ☐ Taxes
- ☐ Paystubs
- ☐ Bills or payment receipts
- ☐ Car registration
- ☐ Documents from your family members who are U.S. citizens or residents (children, or your spouse)

### Forms from previous arrest or sentences, or showing prior contact with immigration (if applicable):

- ☐ Copy of police records
- ☐ Court documents
- ☐ Evidence showing your compliance with court requirements
- ☐ A number
- ☐ Save money for bond

### Documents showing your positive impact in the community:

- ☐ Certificates
- ☐ Letters of support from friends, church, work, organizations, etc
- ☐ Photos with your family

### Emergency Contact

- ☐ Identify a relative, friend, or contact and memorize their phone number
- ☐ Emergency Numbers and Important Contact Information Form

### Child Care plan

- ☐ Complete your child's care plan
- ☐ Important Children's Information Form
- ☐ Caregiver's Authorization Affidavit

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

The Premises Known As,

Swift & Company, located at 1700  
Highway 60 NE, Worthington,  
Minnesota, and all its  
appurtenances, parking areas,  
and outdoor working areas

Defendant.

CIVIL NO. 06mj457 JSM

ORDER  
FOR WARRANT FOR  
ENTRY ON PREMISES TO  
SEARCH FOR ALIENS  
WHO ARE IN THE UNITED  
STATES WITHOUT LEGAL  
AUTHORITY

The United States of America, having filed an application to authorize officers of United States Immigration and Customs Enforcement to enter the building on the premises described above in order to search for persons who are aliens in the United States without legal authority, together with an Affidavit and memorandum of Points and Authorities in support of the application, and the Court finding on the basis of the affidavit that there is probable cause to believe that located within the business premises described above are persons who are aliens in the United States without legal authority and subject to removal proceedings pursuant to Section 240 of the Immigration and Nationality Act, 8 U.S.C. § 1229a (1996).

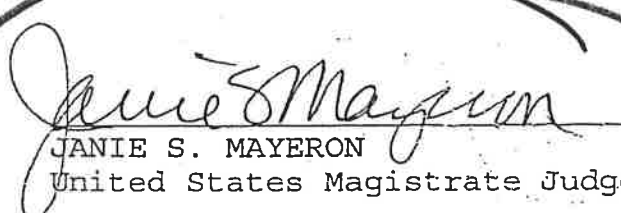
IT IS THEREFORE ORDERED that the officers of U.S. Immigration and Customs Enforcement are authorized to enter the building and



areas on the premises described herein and to make such search as is necessary to locate aliens present in the United States illegally and counterfeit, altered, or imposter documents possessed and/or used by the aliens who are not lawfully entitled to reside within the United States and who are employed at present within Swift, Inc. (See Attachment B). In making this search, the agents of ICE are authorized to enter any locked room on the premises in order to locate persons who may be such aliens in the United States without legal authority and, if any such persons are found on the premises, to exercise their authority pursuant to section 287 of the Immigration and Nationality Act, 8 U.S.C. § 1357, to question them to determine whether they are such aliens and, if there is probable cause to believe they are such aliens, to arrest them.

IT IS FURTHER ORDERED that U.S. Immigration and Customs Enforcement shall conduct the entry and search during daylight hours with ten (10) days of the issuance of this warrant, and make its return to this Court with ten (10) days of the date the entry and search have been completed.

Dated: December 8, 2006



JANIE S. MAYERON  
United States Magistrate Judge

ATTACHMENT A  
LOCATION OF PROPERTY TO BE SEARCHED

The entire premises and vehicles within the cartilage located at Swift & Company, located at 1700 Highway 60 NE, Worthington, Minnesota, further described as:

Parcel Number 31-3787-000 and Parcel Number 31-3790-000 in the county of Nobles, in the state of Minnesota. A commercial industrial meat processing plant with one main building and several out buildings on the property.

Directly to the north of the facility is Interstate 90 and to the west of the facility is Highway 60. The facility has one main vehicle gate. A chain link fence surrounds the facility on three sides with barbed wire on top. Security personnel housed in an access control booth man the main gate.

ATTACHMENT B  
DESCRIPTION OF ITEMS TO BE SEARCHED FOR

1. Aliens who are not lawfully entitled to reside within the United States who are employed at present within Swift & Company; and
2. Counterfeit, altered or imposter documents possesses and/or used by the aliens who are not lawfully entitled to reside within the United States and who are employed at present within Swift & Company.

# RETURN

Date Warrant Received

8  
12-18-06

Date and Time Executed

12-12-06  
0733

Copy of Warrant and Receipt for Items Left with

G.M. WACHSE  
V.P. GENERAL MANAGER  
SWIFT & COMPANY

Inventory Made in the Presence of

GERALD COYLE

Inventory of Person or Property Taken Pursuant to the Warrant

SEE ATTACHED LIST OF PERSONS DISCOVERED AND ARRESTED.

## CERTIFICATION

I swear that this inventory is a true and detailed account of the person or property taken by me on the warrant.

Subscribed, sworn to, and returned before me this 15<sup>th</sup> day of December, 2006.

Affiant

United States Magistrate Judge

Warrant of Removal/Deportation

File No: \_\_\_\_\_

Date: \_\_\_\_\_

**- NOT A WARRANT -**

To any officer of the United States Immigration and Naturalization Service:

\_\_\_\_\_  
(Full name of alien)

who entered the United States at \_\_\_\_\_

(Place of entry)

on \_\_\_\_\_

(Date of entry)

is subject to removal/deportation from the United States, based upon a final order by:

- ☐ an Immigration Judge in exclusion, deportation, or removal proceedings
- ☐ a district director or a district director's designated official
- ☐ the Board of Immigration Appeals
- ☐ a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:  
Section 241(a)(5) of the Immigration and Nationality Act(Act), as amended.

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Attorney General under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of the appropriation. "Salaries and Expenses Immigration and Naturalization Service 2002," including the expense of an attendant if necessary.

\_\_\_\_\_  
(Signature of INS official)

\_\_\_\_\_  
(Title of INS official)

\_\_\_\_\_  
(Date and office location)





## **AB60 IN AN ERA OF RESISTANCE:**

### **KNOW YOUR RIGHTS**

Donald Trump has proposed sweeping changes in immigration policy during his first two weeks in office. It is unclear how these changes will play out in practice. Many may be held unconstitutional; others will take Congressional or other government action to implement. In the meantime, AB 60 remains in effect, and each applicant should make their own decision about whether to apply.

#### **Making the best decision for you**

AB 60 has changed lives across California. As of December 2016, **822,000 people have received** AB 60 licenses. That's almost as many people as the population of San Francisco! Many Californians are now driving with an AB 60 license to meet their basic needs, like driving their children to school, driving their loved ones to the hospital, and going to work.

#### **Q: Is AB 60 still law, now that Donald Trump is President?**

**A:** Yes, AB 60 is still law, and the Department of Motor Vehicles (DMV) will continue to process AB 60 license applications.

#### **Q: I already have an AB 60 license. Is my information safe?**

**A:** There are confidentiality and anti-discrimination protections in place through existing state laws. Within the California driver's license database, AB 60 licenses are not marked differently from other California driver licenses. This means that ICE or law enforcement cannot look for the records for AB 60 license holders based *only* on the fact that you have an AB 60 license.

Advocates and organizers are also working to see if additional protections could be added to further safeguard driver's license information.

#### **Q: Is the information I provide to the DMV confidential?**

**A:** The documents you provide to the DMV to prove your identity, name, residency, and age are not a public record. The DMV may not disclose this information, except when requested by a law enforcement agency as part of an investigation, including potentially Immigration and Customs Enforcement (ICE). DMV would only provide this information to ICE if the federal agency is already looking for a particular person as part of an investigation. Moreover, AB 60 licenses are not marked differently from other licenses within the DMV database.

#### **Q: Does the risk of deportation change under the Trump administration?**

**A:** There are still many unknowns about how these Executive Orders will be implemented in practice, but Trump does seem to be making deportations a priority of his administration. One Executive Order greatly expanded the "immigration enforcement priorities," which are the categories the government is targeting for deportation. The current enforcement priorities are extremely broad, further criminalizing immigrants and militarizing the border. Therefore, any undocumented community



member is potentially at risk, especially those who have had prior contact with law enforcement. These enforcement priorities include those who:

- Have any criminal conviction;
- Have a pending criminal charge that has not been resolved;
- Have done something that could lead to a criminal charge;
- Have engaged in fraud or misrepresentation before a governmental agency;
- Have “abused” public benefits;
- Are subject to final order of removal, but have not left the United States;
- Are deemed by an immigration officer to pose a risk to public safety or national security.

Moreover, undocumented immigrants and refugees are at greater risk of detention and expedited removal if they have been in the U.S. for less than two years.

**Q: Am I more at risk for applying for an AB 60 license now that Donald Trump is President?**

**A:** Whether to apply for an AB 60 license or not is a personal decision. More than ever, new AB 60 applicants will need to weigh the benefits and risks of not driving, driving without a license, and applying for an AB 60 license. This is because applying for and obtaining a license will place your name and address in the DMV records, which U.S. Immigration and Customs Enforcement (ICE) is able to access when it is looking for a particular person. ICE must enter a specific query and cannot freely scroll through the database.

However, driving without a license now poses a greater risk than before, since “committ[ing] acts that constitute a chargeable criminal offense” can make someone an enforcement priority. While any undocumented immigrant is potentially at risk, those who have had prior contact with law enforcement are at greater risk. You may wish to consult with an immigration attorney to talk about your options.

**Q: Does AB 60 contain protection from discrimination? Since AB 60 license has a mark, could this be a risk for those who want to present the AB 60 license to law enforcement?**

**A:** The law prohibits state or local government agencies, officials, or programs that receive state funds from discriminating against someone because he or she holds or presents an AB 60 license. This includes state and local law enforcement officials. Additionally, AB 60 specifies that it shall be a violation of law, including, but not limited to, a violation of the Unruh Civil Rights Act, to discriminate against an individual who holds or presents an AB 60 driver’s license. To monitor potential discrimination, AB 60 requires the California Research Bureau to compile and submit a report to the Legislature and the Governor about any incidents of discrimination perpetrated on holders of marked licenses.

If you think you have been discriminated against by law enforcement because of your AB 60 license, please call 415-621-2488 to report it.



These anti-discriminatory laws apply to state and local government officials. They do not prohibit discrimination from federal officials. Because of this, an AB 60 license could be used against you if you present it to a federal official, such as an ICE officer or a TSA officer.

**Q: What “Know Your Rights” tips do you have for AB 60 license holders?**

**A:** You may be at risk when presenting your AB 60 license to a law enforcement officer in another state, depending on the laws and policies of that state.

Do not attempt to use your AB 60 to enter restricted areas of federal facilities, pass through TSA screening at airports, or verify your identity to federal law enforcement officers, including Immigration and Customs Enforcement (ICE) and Customs and Border Patrol (CBP).

When talking to or in front of local or state law enforcement including police, sheriffs, and highway patrol officers, anything you say can be used against you – don’t talk about your immigration status, citizenship, when or you came to the US, or where you were born.

For a more complete Know Your Rights information related to AB 60 licenses, [please read this document](#).









*We invite you to join the Drive CA coalition by emailing [driverslicense@caimmigrant.org](mailto:driverslicense@caimmigrant.org) or visiting [www.driveca.org](http://www.driveca.org). You can find resources to educate yourself and your community about AB 60 at the Drive CA website and at the DMV.*

- IF YOU SEE IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) IN ACTION,
    - SUSPECT ICE ACTIVITY IN PROGRESS, OR IF
    - YOU ARE DETAINED OR SOMEONE YOU KNOW IS DETAINED BY ICE
- FOR RAPID RESPONSE AND IMMIGRATION LEGAL SERVICES**



**Alameda County Immigration Legal & Education Partnership**

Centro Legal de la Raza, Alameda County Public Defender, Black Alliance for Just Immigration, California Immigrant Youth Justice Alliance, Causa Justa/Just Cause, The Interfaith Movement for Human Integrity, Mujeres Unidas y Activas, Oakland Community Organizations, Street Level Health, and Vietnamese American Community Center of the East Bay

Legal Services Organization	Office Locations/Addresses	Main Phone	Languages Spoken
 <b>Legal Outreach</b> <i>Formerly Nihonmachi Legal Outreach</i> <b>Asian Pacific Islander Legal Outreach</b> <a href="http://www.apilegaloutreach.org">www.apilegaloutreach.org</a>	1305 Franklin Street, Suite 410 <b>Oakland</b>	510-251-2846	English, Cantonese, Chiu-Chow, Hindi, Japanese, Korean, Mandarin, Punjabi, Spanish, Vietnamese, Tagalog, Taiwanese
 <b>Catholic Charities of the East Bay</b> <a href="http://www.cceb.org">www.cceb.org</a>	433 Jefferson Street, <b>Oakland</b> 217 Harbour Way, <b>Richmond</b> 3540 Chestnut Avenue, <b>Concord</b>	510-768-3100 510-234-5110 925-825-3099	English, Spanish, French, Italian
 <b>Centro Legal de la Raza</b> <a href="http://www.centrolegal.org">www.centrolegal.org</a>	3022 International Blvd., Suite 410 <b>Oakland</b>	510-437-1554	English, Spanish
 <b>East Bay Sanctuary Covenant</b> <a href="http://www.eastbaysanctuary.org">www.eastbaysanctuary.org</a>	2362 Bancroft Way <b>Berkeley</b>	510-540-5296	English, French, Spanish, Mam Maya
 <b>IIBA International Institute of the Bay Area</b> <a href="http://www.iibayarea.org">www.iibayarea.org</a>	405 14 <sup>th</sup> St., Suite 500, <b>Oakland</b> 3240 Lone Tree Way Suite 202 <b>Antioch</b> 39155 Liberty St. D450, <b>Fremont</b>	510-451-2846 x301 925-237-8581 510-894-3639	English, Spanish, Dari, Hindi, Mandarin
 <b>International Rescue Committee</b> <a href="http://www.rescue.org/us-program/us-northern-california-ca">www.rescue.org/us-program/us-northern-california-ca</a>	405 14 <sup>th</sup> Street, Suite 1415 <b>Oakland</b>	510-452-8222	English, Spanish, Bosnian
 <b>Jewish Family &amp; Children's Services of the East Bay</b> <a href="http://www.jfcs-eastbay.org">www.jfcs-eastbay.org</a>	Contra Costa Office 1855 Olympic Blvd., Ste. 200 <b>Walnut Creek</b>	925-927-2000	English, Spanish, Arabic, Bosnian, Dari, Farsi, Russian
 <b>Korean Community Center of the East Bay</b> <a href="http://www.kcceb.org">www.kcceb.org</a>	1700 Broadway, Suite 400 <b>Oakland</b>	510-547-2662	English, Korean